

10-01  
BILL NO. S-70-01

SPECIAL ORDINANCE NO. S- 598-70

AN ORDINANCE amending Special Ordinance No. S-264-69 to provide additional compensation to employees of the Board of Public Safety of the City of Fort Wayne who were ordered to report for additional hours of duty under an extreme emergency declared by the Mayor of the City of Fort Wayne and Board of Safety on September 5, 1970.

WHEREAS, an extreme emergency was declared by the Mayor of the City of Fort Wayne and the Board of Public Safety on September 5, 1970; and

WHEREAS, policemen, firemen, members of the Communication Department and Traffic Engineering Department, who are fully qualified policemen and firemen on assignment to said Departments, worked additional hours in excess of their regular shifts because of said declared state of extreme emergency; and

WHEREAS, it is the consensus of the duly qualified authorities of the City of Fort Wayne that additional compensation should be paid to said employees, who worked additional hours, as extreme emergency additional compensation and not in any way as additional paid salary;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Special Ordinance No. S-264-69 is hereby amended to include in the 1970 Budget of the Board of Public Safety "Extreme Emergency Additional Compensation" as follows: That policemen, firemen, and members of the Communication Department and Traffic Engineering Department of the City of Fort Wayne, Indiana, who are fully qualified policemen and firemen on assignment to said departments, who worked in excess of their regular and normal shifts as a result of an extreme emergency declared by the proper authority of the City of Fort Wayne, Indiana, on September 5, 1970, shall be paid \$4.00 per hour for each hour worked by said employee in excess of their regular shifts as a result of said extreme emergency, and that all civilian members of any Department under the jurisdiction of the Board of Public Safety shall be paid at their regularly established rate per hour for each and

every hour worked by said employee in excess of their regular weekly hours during the period beginning September 5, 1970.

SECTION 2. The acceptance of said additional compensation by all policemen, firemen, members of the Communication Department and Traffic Engineering Department and all civilian members of any department under the jurisdiction of the Board of Public Safety of the City of Fort Wayne during said period of extreme emergency beginning September 5, 1970, shall constitute an acknowledgment by said employees that said additional compensation is money paid as emergency additional compensation and is and shall in no way be considered a part of any policeman's, fireman's, or employee's base salary and that said additional compensation shall in no way be considered a part of the salaries of any such policeman, fireman or other employee in computing retirement benefits for said individual.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Thomas H. Adams

Read the first time in full and on motion by Adams seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Finance (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 10-13-70

Thad H. Bonahoom  
City Clerk

Read the third time in full and on motion by Adams seconded by Steigerwald and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES 8, NAYS 1, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

Adams	<input checked="" type="checkbox"/>	_____	_____	_____
Dunifon	<input checked="" type="checkbox"/>	_____	_____	_____
Fay	<input checked="" type="checkbox"/>	_____	_____	_____
Geake	<input checked="" type="checkbox"/>	_____	_____	_____
Nuckols	<input checked="" type="checkbox"/>	_____	_____	_____
Robinson	_____	<input checked="" type="checkbox"/>	_____	_____
Rousseau	<input checked="" type="checkbox"/>	_____	_____	_____
Steigerwald	<input checked="" type="checkbox"/>	_____	_____	_____
Tipton	<input checked="" type="checkbox"/>	_____	_____	_____

Date 10-10-70  
10-27-70

Thad H. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. S-598-70 on the 10<sup>th</sup> day of October, 1970.

ATTEST: (SEAL)

Thad H. Bonahoom  
City Clerk

Herbert G. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12<sup>th</sup> day of November, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Thad H. Bonahoom  
City Clerk

Approved and signed by me this 12<sup>th</sup> day of November, 1970 at the hour of 1:51 o'clock P.M., E.S.T.

Harold S. Zais  
Mayor

Bill No. S-70-10-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
amending Special Ordinance No. S-264-69 to provide additional compensation to employees  
of the Board of Public Safety of the City of Fort Wayne who were ordered to report for  
additional hours of duty under an extreme emergency declared by the Mayor of the City  
of Fort Wayne and Board of Safety on September 5, 1970,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

THOMAS G. ADAMS, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

JACK K. DUNIFON

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

*Thomas G. Adams*  
*Edwin J. Rousseau*  
*Jack K. Dunifon*  
*William K. Geake*  
*Phil A. Steigerwald*

CONCURRED IN

DATE 11-10-70

FUAD G. BONAHOOM, CITY CLERK

# City of Fort Wayne

October 6, 1970

Mr. J. Robert Arnold  
1120 Lincoln Bank Tower  
Fort Wayne, Indiana 46802

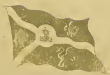
Dear Mr. Arnold:

Would you please prepare an amendment to the 1970 Civil City Salary Ordinance which would authorize the Board of Safety to make overtime pay to all employees under its jurisdiction for the hours they worked over and above their regular hours during the emergency curfew which was invoked by the Board of Safety and Mayor Zeis.

The emergency under which this curfew was imposed lasted from September 5 through September 9, and employees of the Board of Safety worked additional hours during all of these days. The curfew itself was imposed on September 5, and was lifted on September 7.

The chiefs of the Police Department and Fire Department and myself discussed the legality of the city paying additional compensation to employees under the Board of Safety, which would include the Police Department, Fire Department, Communications Department, and Traffic Engineering Department, with Robert Wickersham and Richard Worley, of the State Board of Accounts on October 28, 1970, and they advised as follows:

1. The City of Fort Wayne, with the approval by the City Attorney, can amend the 1970 Salary Ordinance providing for the payment of additional compensation.
2. The ordinance should set out that the money so paid should be disbursed as additional compensation made to employees of the Board of Safety who were ordered to report for additional hours of duty under an extreme emergency declared by the Mayor and Board of Safety.
3. That this amendment to the Salary Ordinance clearly state that the monies are being paid as emergency additional compensation to only those who worked additional hours, and that it shall in no means be considered as part of the policemen's and firemen's base salary, and that it shall not be considered as any part of their salaries upon which retirement benefits are to be computed.



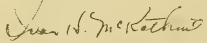
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4. That Policemen and Firemen and members of the Communications Department and Traffic Engine Department who are fully qualified Policemen or Firemen on assignment to these departments, be paid \$4.00 per hour for all hours worked in excess of their regular shifts. That all civilian members of any department under the jurisdiction of the Board of Safety be paid at their regularly established rate per hour for each and every hour they worked in excess of their regular hourly work week, during the emergency from September 5 through September 9, inclusive.

Please prepare this salary ordinance amendment for submission to the City Council at its regular meeting on October 13.

There is sufficient money in the budget of the Board of Safety to pay this additional emergency compensation either out of existing "Service Personal" appropriations, or from other funds that are available for transfer into this appropriation.

Yours very truly,



Ivan H. McKathnie  
City Controller

IHM/pc